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GENERAL AND COMPLETE DISARMAMENT

Letter dated 28 May 1996 from the Permanent Representative of Italy to the United Nations addressed to the Secretary-General

I have the honour to refer to the Centre for Disarmament Affairs' note of 19 January 1996 regarding resolution 50/70 B, entitled "Small arms", adopted by the General Assembly on 12 December 1995.

On behalf of the European Union and of the countries of Central and Eastern Europe associated with it (Bulgaria, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania and Slovakia) as well as of the associated countries Cyprus and Malta, I am pleased to provide you with the attached common reply concerning the resolution (see annex).

I would be grateful if you could have the text of the present letter and its annex circulated as a document of the General Assembly under item 71 of the provisional agenda.

(Signed) F. Paolo FULCI
Ambassador
Permanent Representative

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ANNEX

European Union common reply to resolution 50/70 B on small arms

1. The States members of the European Union (EU) have all voted in favour of United Nations General Assembly resolution 50/70 B entitled "Small arms" and wish to provide the following common reply to paragraph 1, which requests the Secretary-General to prepare a report on the subject taking into account views and proposals of Member States.

2. EU is of the view that the combination of internal conflicts with the proliferation of small arms and light weapons that followed the end of the cold war poses new challenges to the international community. The Secretary-General's report to the General Assembly and the Security Council entitled "Supplement to an Agenda for Peace" (A/50/60-S/1995/1) stressed the urgent need for practical disarmament in the context of the conflicts that the United Nations is actually dealing with and of the weapons, most of them light weapons, that are actually killing hundreds of thousands of people, and identified light weapons as including, inter alia, small arms and anti-personnel landmines.

3. Since EU will provide a separate answer to resolution 50/70 O concerning the moratorium on the export of anti-personnel landmines, the present answer will not refer specifically to such weapons. EU has adopted and is inspired in this field by a joint action to help combat the indiscriminate use and spreading throughout the world of anti-personnel landmines, which are very dangerous for civilian populations.

4. A number of questions can arise on what can usefully be done and what is practical in tackling the problem of small arms. Small arms disarmament, or "micro-disarmament" as some are now calling it, tends to be impractical during a conflict. However, it could form part of post-conflict peace agreements. Although study of the problem is still at an early stage, it can be assumed that the United Nations may have a relevant role to play in this field.

5. A few preliminary considerations need to be made before attempting to provide specific comments to the three subjects raised in paragraph 1 of resolution 50/70 B (types of small arms and light weapons currently being used; nature and causes of excessive and destabilizing accumulation and transfer of small arms and light weapons; ways and means to prevent and reduce excessive and destabilizing accumulation and transfer of such a category of weapons).

Small arms account for the greatest percentage of deaths and injuries in many armed conflicts. Though they do not pose the same strategic threat as, for example, those arms which fall into the seven categories of the United Nations Conventional Arms Register, they may have serious destabilizing effects on the regions concerned. The question of small arms acquisition depends, to a large extent, on responsible national legislative measures ensuring proper control on civilian and military use. Legislation must be in place to ensure that enforcement measures to prevent excessive and destabilizing accumulation and transfer of small arms and light weapons - including their illicit production

and trade - are effective and efficient, including measures to control goods in transit and those moving through free zones.

Successful regional agreements that have led to the disarming of warring factors should be studied carefully in an attempt to distil model elements that could help form the basis of future agreements.

6. There is, first and foremost, a definition-related aspect of the matter as regards the criteria to adopt in order to make an appropriate definition of the types of small arms and light weapons currently being used in conflicts.

One definition could be that such weapons are all small arms with "automatic firing devices" that can be carried by an infantry soldier or perhaps a small vehicle or pack-animal. Another definition could comprise those weapons which do not need elaborate logistical and maintenance capability and can be employed by insurgent groups and paramilitary formations. Whatever definition is used, an analysis of the weapons actually being used in conflicts around the world could comprise: automatic firing hand-guns, automatic assault rifles, sub-machine-guns, machine-guns, rocket-propelled grenades, light anti-tank weapons, small-calibre mortars, shoulder-fired anti-aircraft missiles and hand-placed mines.

7. As to the nature and causes of small arms' destabilizing accumulation and transfer, in his January 1994 Supplement to an Agenda for Peace, the Secretary-General identified four basic reasons: earlier supply during the cold war, internal conflicts, competition for commercial markets and criminal activity combined with the collapse of governmental law and order. The European Union would like to underline among these: internal conflicts, uncontrolled or excessive transfer of arms to regions of (intra- or inter-State) conflict, uncontrolled disposal of surplus weapons as a consequence of the reduction of people employed in the armed forces and the lack of a sense of personal security.

8. Violent inter-State conflicts, occurring in States subject to ethnic tensions and outright criminality, entail humanitarian costs. Provision of security assistance to thwart the lack of personal security should not be confused with defence assistance.

Such provision of assistance needs oversight by a neutral authority (such as the United Nations or other regional organizations). This should be combined with internal actions such as improved internal controls and procedures, tightening of national legislation and better training for indigenous security forces.

9. Reductions in the number of people employed in the armed forces, if not well managed, may increase uncontrolled access to small arms. Diversity of demobilization experiences among countries may, however, complicate the problem. (Statistics indicate that in recent demobilizations in Africa and Central America some one million soldiers and guerrilla forces were demobilized during the 1990s and more demobilizations are planned. In other countries in Asia and Latin America, large numbers of ex-combatants have also been demobilized.) In tackling demobilization problems, transparency, precision with regard to arms

collection, safe storage and, if possible, on-the-spot destruction should be ensured to prevent diversion. Effective demobilization should rest on a credible central authority.

10. The lack of a sense of security fuels demand for weapons. Availability of weapons, in turn, fuels cycles of banditry and violence. In the context of small arms, the concept of security is related, first of all, to personal security. Provision of personal security is a basic responsibility of Governments.

11. With regard to intra-State conflicts, it can be observed that it is above all necessary to provide non-violent alternatives to post-conflict societies. These alternatives are often difficult to achieve as they are mostly of a medium- or long-term socio-political and economic nature and are national rather than regional in character.

12. Whereas during the cold war the main objective was stability in the international arena, now the objective is to stabilize domestic situations. The United Nations is the main international organization requested by Governments to undertake tasks such as facilitating dialogue between warring parties, preventing renewal of internal armed conflict, strengthening infrastructure, improving local security and facilitating electoral processes.

13. Effective means to strengthen control and reduction of weapons during peace operations should be explored and could promote greater stability. Management and control of small arms and light weapons could become an important component of the settlement of conflicts, such as confidence-building measures, weapon control agreements, control of illegal weapons and transfers across borders. In some cases, buy-back programmes, such as those tried in Nicaragua and Haiti, could be explored. Thought could also be given to controlling the spreading of bullets and ammunition used for automatic small arms and light weapons.

14. The ideas outlined above may be some of the measures the implementation of which requires further study. However, the European Union is of the opinion that, in considering ways and means to prevent and reduce the excessive and destabilizing accumulation and transfer of small arms and light weapons, including their illicit production and trade, it will be important to remain focused on the real problems and not to allow duplication of efforts already under way elsewhere.